IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.4826 OF 2007

Kum. Minakshi Vitthal Doddamani : Petitioner

V/s.

State of Maharashtra & Ors. : Respondents

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Mr.R.K.Mendadkar for the petitioner.

Mr.R.D.Rane, Government Pleader for respondent nos.1,2 & 4.

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CORAM : F.I.REBELLO & R.M.SAVANT,JJ.

DATE : JUNE 26, 2007.

P.C.

1. The petitioner challenges the order of the Caste Scrutiny Committee dated 27.4.2007 whereby the petitioner's caste claim as Koli Mahadeo, Scheduled Tribe has been rejected. In the home inquiry conducted, various documents have been considered. All the documents, except one document of Kamanna Nigappa Doddamani, show the petitioner as Koli, Rajput, Lingayat. Except that of Kamanna, the petitioner is shown as Hindu Mahadeo Koli. In respect of Kamanna Doddamani, the Committee has recorded its findings in paragraph 3, after considering the remarks of the Headmaster. From the said remarks, it would appear that those entries are of doubtful character

and could not be relied upon.

2. The petitioner does not deny the relationship to Siddharam Doddamani. In the first instance, the said person also claims to be belonging to Mahadeo Koli, Scheduled Tribe. His claim has been invalidated by the Committee, as seen from the record, on 31.7.1995 and thereafter on 20.3.2003. Apart from that, there is statement of Siddharam Doddamani which was recorded on 7.3.2007. In that statement, he has set out that they are Kolis and he has given the names of deities whom they worship. He has further set out the ancestral business which is fishing and sale of fish in the market. He has specifically set out that he is unaware about Waghbaras, Gaonbaras, Vasubaras, Sath, Avanji Barabude, Gotrani, Gotebhau, etc., who are the deities of Mahadeo Koli, Scheduled Tribe. This report was made available to the petitioner. The petitioner submitted her reply and also filed written explanation of Siddharam Doddamani. The Committee noted that in the explanation, the petitioner’s uncle tried to change his original statement recorded by the Vigilance Officer at the time of inquiry.

3. The Committee also noted that from the information given by the petitioner, the petitioner continues to project herself by different methods that she belongs to

Koli Mahadeo, Scheduled Tribe, but by way of documentary evidence and also oral evidence, failed to prove her affinity towards Koli Mahadeo, Scheduled Tribe. The Committee has correctly recorded the finding on the basis of the statement made by Siddharam B. Doddamani. The additional fact is the invalidation of the tribe claim of the said person.

4. These are purely findings of fact. We find no reason to interfere in the exercise of our extraordinary jurisdiction. Hence, the petition is rejected.

F.I. REBELLO, J.

R.M. SAVANT, J.